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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,466	03/11/2004	Michael Davis	VOCO / 14	6104

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WOOD, HERRON & EVANS, LLP
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EXAMINER

NGUYEN, KIMBERLY D

ART UNIT	PAPER NUMBER
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2876

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/798,466

Applicant(s)

DAVIS, MICHAEL

Examiner

Kimberly D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/10/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on October 10, 2004 has been considered by the examiner.

Claim Objections

2. Claims 31-32 are objected to because of the following informalities:

The limitation "the status message" lacks of antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9 and 11-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Engellenner (US 6,057,756).

Re claims 1 and 8-9: Engellenner teaches a method for placing an item (object 20-28 in fig. 1) in an automated storage unit (an office, file room, retail floor display or stockroom; col. 2, lines 43+; col. 2, lines 22-29), the method comprising the steps of:

receiving input relating to placing the item in the automated storage unit (the controller 12 is activated by a request for an item, e.g., a request for the location of the item, by the user; col. 7, line 40 through col. 8, line 15);

in response to the input, outputting a voice prompt of a location in the automated storage unit ("the detector transmits a signal to the system, (which can be displayed or otherwise communicated, e.g. by voice, to the user) to report the location of the item" col. 11, lines 53+; col. 11, lines 39-56; col. 6, lines 1-8);

receiving a status message regarding whether the item (26) is in the location in the unit (a status message is a signal, which can be displayed or communicated by voice, to report the location of the item; col. 11, lines 39-56; col. 3, lines 8-19) (i.e., the voice/speech/oral reports on the location (such as last known, new location) of the object; col. 6, lines 1-18; col. 3, lines 12+).

Re claim 2: Engellenner teaches the method of claim 1, further comprising the steps of

transmitting the input to a controller (12 in fig. 1; col. 7, lines 46+) of the automated storage unit; and

in response to transmitting the input, receiving an identification of the location in the unit, wherein the voice prompt includes the identification (i.e., the voice/speech/oral reports on the location (such as last known, new location) of the object; col. 6, lines 1-18; col. 3, lines 12+).

Re claims 3, 13 and 20: Engellenner teaches wherein the step of receiving input further includes the step of receiving bar code information from a scanner (col. 5, lines 4-13; col. 4, lines 56+).

Re claims 4-5 and 14-15: Engellenner teaches wherein the step of receiving input further includes the step of receiving speech input (while search facilities simply

can be activated by a keypad or mouse-like hand tool (usually in conjunction with a display screen), search operations can be initiated by voice-driven speech-recognition systems... col. 5, line 66 through col. 6, line 8; col. 11, lines 39+).

Re claim 6: Engellenner teaches wherein the input comprises an item identifier (the user inputs the identifier for the item-to-be-located; col. 11, lines 39+).

Re claim 7: Engellenner teaches wherein the input further comprises a quantity (such as, requesting an item in a different color or size and determine whether such an item having the code characteristic is in stock; col. 6, lines 9-32).

Re claims 11-12 and 16-17: Engellenner teaches a method of retrieving an item in an automated storage unit, the method comprising the steps of:

transmitting an identifier related to the item to a controller of the automated storage unit (step 112-126 of fig. 12; col. 11, lines 39-67);

in response to transmitting the identifier, receiving a location identifier of the item ("the detector transmits a signal to the system, (which can be displayed or otherwise communicated, e.g. by voice, to the user) to report the location of the item" col. 11, lines 53+; col. 11, lines 39-56; col. 6, lines 1-8); and

outputting a voice prompt indicative of the location identifier (i.e., the voice/speech/oral reports on the location (such as last known, new location) of the object; col. 6, lines 1-18; col. 3, lines 12+).

Re claims 18 and 21-23: Engellenner teaches a voice-controlled automated storage unit (an office, file room, retail floor display or stockroom; col. 2, lines 43+; col. 2, lines 22-29), comprising:

an input device configured to receive an identifier of an item (step 112 of fig. 12; col. 11, lines 39-67) (while search facilities simply can be activated by a keypad or mouselike hand tool (usually in conjunction with a display screen), search operations can be initiated by voice-driven speech-recognition systems... col. 5, line 66 through col. 6, line 8; col. 11, lines 39+);

an interface coupled with the input device and in communication with a controller (12 in fig. 1) of the automated storage unit so as to forward the identifier to the controller (the controller 12 is activated by a request for an item, e.g., a request for the location of the item, by the user; col. 7, line 40 through col. 8, line 15); and

a speech output device coupled with the interface and configured to produce an output related to a location for the item in the automated storage unit (i.e., the voice/speech/oral reports on the location (such as last known, new location) of the object; col. 6, lines 1-18; col. 3, lines 12+).

Re claim 19: Engellenner teaches the input device includes a microphone (114 in fig. 13; col. 13, lines 18+) configured to capture audio input (while search facilities simply can be activated by a keypad or mouse-like hand tool (usually in conjunction with a display screen), search operations can be initiated by voice-driven speech-recognition systems... col. 5, line 66 through col. 6, line 8; col. 11, lines 39+).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Engellenner (US 6,057,756) in view of Jenkins et al. (US 6,264,104; hereinafter "Jenkins"). The teachings of Engellenner have been discussed above.

Engellenner teaches a report of an error (such as an item is misplaced within a particular interrogating zone; col. 11, lines 57-67), when placing the item in automated storage unit.

However, Engellenner fails to specifically teach the status message comprises one of a confirmation of the item being placed in the automated storage unit.

Jenkins teaches a storage compartment 201 having an input-output controller card 227 and products/goods stored therein, wherein the input-output controller card 227 receives signals indicative of products being removed from and placed in the compartment 201 (col. 5, lines 50-63; col. 5, lines 33-63).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the confirmation/signal of the item being placed in the storage compartment as taught by Jenkins to the teachings of Engellenner in order to track the object(s) being placed/removed in the storage unit.

5. Claims 24-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engellenner (US 6,057,756) in view of Johansson (US 5,913,163). The teachings of Engellenner have been discussed above.

Re claims 24-25, 28, and 30: Engellenner teaches an automated storage system, comprising:

an automated storage unit (an office, file room, retail floor display or stockroom; col. 2, lines 43+; col. 2, lines 22-29);

a control computer (12 in figs. 1-2) coupled with the storage unit via a wireless interface (14A –14N in fig. 2; col. 7, lines 40+); and

the control computer (12), in response to input of an item identifier (step 112 in fig. 12), operable to generate location information and forward an audio output, indicative of the location information (a status message is a signal, which can be displayed or communicated by voice, to report the location of the item; col. 11, lines 39-56; col. 3, lines 8-19) (i.e., the voice/speech/oral reports on the location (such as last known, new location) of the object; col. 6, lines 1-18; col. 3, lines 12+).

Engellenner fails to specifically teach at least one wireless headset configured to receive audio output.

Johansson teaches a wireless headset configured to receive audio input/output from a human operator and the benefit of using the headset; wherein the benefit is, such as providing hand-free operation to enhance operator convenience (col. 2, lines 25-63).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate wireless headset to receive audio output as taught by Johansson to the teaching of Engellenner in order to provide a hand-free operation to the operator who is transmitting/receiving the audible input/output, respectively.

Re claim 26: Engellenner teaches wherein the input further comprises a quantity (such as, requesting an item in a different color or size and determine whether such an item having the code characteristic is in stock; col. 6, lines 9-32).

Re claim 27: Engellenner teaches wherein the step of receiving input further includes the step of receiving bar code information from a scanner (col. 5, lines 4-13; col. 4, lines 56+).

Re claim 29: Engellenner teaches the control computer is configured to update a database/lookup-table that is reflective of the automated storage unit, in response to input of the item identifier (col. 13, lines 51-65; col. 15, lines 33-40).

Re claims 31-32: Engellenner teaches a status message is a signal, which can be displayed or communicated by voice, to report the location of the item (col. 11, lines 39-56; col. 3, lines 8-19); or the voice/speech/oral reports on the location (such as last known, new location) of the object (col. 6, lines 1-18; col. 3, lines 12+).

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on 8 - 5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kimberly D Nguyen
Primary Examiner
Art Unit 2876

A handwritten signature in black ink, appearing to read 'Kimberly D. Nguyen', written over the printed name and title.

January 6, 2007